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S E C R E T SECTION 01 OF 02 BRUSSELS 003333

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NOFORN

E.O. 12958: DECL: 07/04/2014

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SUBJECT: EU/CHINA ARMS EMBARGO: READOUT OF UK POLDIR SAWERS
MEETING WITH JAPANESE DFM TANAKA

REF: A. USEU TODAY 08/05/04

[1](#)B. LONDON 5381

Classified By: USEU Poloff Van Reidhead for reasons 1.4 (b) and (d).

[1](#)1. (S/NF) SUMMARY: Japanese Mission offered us a readout of the July 29 meeting in Tokyo between DFM Tanaka and UK PolDir Sawers to discuss the China arms embargo. Sawers told Tanaka that the UK wanted to de-link any decision to lift the arms embargo from the EU-China summit in December because of concerns over the potential for a rise in cross-straits tension during the run-up to Taiwan's parliamentary elections. Asked whether that meant the decision would be taken before or after the summit, Sawers responded that the UK could go either way. Japanese said the EU Code of Conduct on arms exports, even if strengthened, would be an unacceptable substitute for the arms embargo. Sawers described US concerns as "exaggerated," and suggested that even the US would come around in the end. END SUMMARY.

[1](#)2. (S/NF) Poloff met August 5 with a counterpart from the Japanese Mission to the EU to get a readout of the July 29 Tanaka-Sawers meeting in Tokyo. Reading from Tokyo's reporting cable, the interlocutor explained that Sawers laid out three UK concerns about lifting the embargo: First, that lifting the embargo should not result in an increase in the "value" of sales currently going to China; second, that lifting the embargo should not damage human rights in China; and third, that it should in no way threaten Taiwanese security.

Sawers: Code of Conduct Would Be Effective Substitute

[1](#)3. (S/NF) Sawers argued that a strengthened Code of Conduct (CoC) on arms sales could be more effective than the current embargo because it would be more transparent and, like the current CoC, cover dual-use items. He acknowledged, however, that the effort to strengthen the CoC is now stalled over French objections. Other EU Member States generally agree that strengthening the system of pre-notification (of export license denials) would be the best way to increase the CoC's transparency and thus its effectiveness. Tanaka responded that for Japan, the effort to strengthen the CoC, while positive in its own right, was immaterial to the debate over lifting the arms embargo on China. A strengthened CoC would still not be legally binding or grant veto authority to individual Member States, and would thus be an unacceptable substitute for Japan.

De-Linking Decision from Summit: Good or Bad?

[1](#)4. (S/NF) Sawers also noted UK concern that cross-straits tension might rise during the run-up to Taiwan's parliamentary elections in December. The Tokyo reporting cable cites Sawers as saying that the UK was therefore "anxious to de-link the EU-China summit (also scheduled for December) from the arms embargo." Asked if that meant the EU might lift the embargo well before the summit, Sawers said that a decision to lift the embargo could come either before or after the summit, depending on progress in the coming weeks. The UK just hoped to avoid any potentially inflammatory direct linkage between the embargo and the summit. Sawers noted that the decision to lift the embargo had already been postponed twice, so a third delay might be possible. (NOTE: The Tokyo reporting cable commented that Sawers seemed to prefer a post-summit date for lifting the embargo. END NOTE.)

[1](#)5. (S/NF) Tanaka asked Sawers whether the EU was really interested in lifting the embargo as a symbolic gesture or as a means to selling more arms to China. Sawers said the UK had asked France and China the same questions, and both had responded that the motive was symbolic. (NOTE: Human Rights Watch received a different response from French PSC Ambassador Silvie Agnes-Berhman, who told HRW's Brussels Director in July that she could not discern whether Chirac's motives were symbolic or commercial, despite her best efforts to pulse Paris for information. END NOTE.) Tanaka responded that even if the EU saw lifting the embargo as strictly symbolic, it could still lead to increased arms and

military-related sales to China. He said Tokyo was particularly concerned about European dual-use transfers and the risk of onward proliferation if the embargo is lifted. Sawers suggested Tokyo should also argue its case in Paris, Berlin, The Hague and Rome. He reported that of those EU Member States with outstanding human rights concerns, the UK, Denmark and Sweden were the loudest.

16. (S/NF) On US opposition to lifting the ban, Sawers reportedly told Tanaka that "US claims are exaggerated," and "even the US understands it can't change things." He suggested that in time, third parties opposed to lifting the embargo would recognize that their fears are unwarranted and would become more willing to engage in dialogue about post-embargo controls.

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